

TOWN of Amherst, NH



Request for Qualifications

RFQ DPW 02-24

Environmental Engineering Services

(MS4, NPDES Permit Review & Compliance,

Wastewater, Stormwater Utility)

Proposal Due Date: Friday, September 1, 2023, 2:00 P.M.

I. General Information and Proposal Submission Requirements

- A. The TOWN of Amherst ("TOWN") is soliciting proposals from qualified proposers with demonstrable experience in providing environmental engineering services to primarily include the evaluation, development and implementation of stormwater management program requirements under the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) Stormwater MS4 Permit, assistance with small community septic system, assistance with developing and implementing a Stormwater Utility and other general environmental services that may arise.
- B. Proposals must be submitted by 2:00 p.m. on Friday, September 1, 2023, at which time they will be publicly opened. Postmarks will not be considered. Proposals submitted in any other form, including email and facsimile, will not be accepted as valid proposals.
- C. Envelopes containing sealed proposals will be accepted by the TOWN of Amherst, 2 Main Street, Amherst, NH 03031, until the time indicated. The TOWN is requiring that Price Proposals be separate from Technical Qualifications. Therefore, please make no reference to pricing in the Technical Proposal. Failure to adhere to this requirement will result in disqualification. It is the sole responsibility of the Proposer to ensure that the proposal arrives on time at the designated place. Four (4) separate sealed envelopes, three (3) containing the Technical Qualifications marked "Proposer's Name -DPW 02-24 Technical Qualifications" and one (1) containing the Price Proposal marked "Proposer's Name – DPW 02-24 Price Proposal".
- D. The TOWN endeavors to expedite the award and execution of the contract documents. A selection committee will review and rate the proposals and may select the most qualified firms for final interviews prior to making recommendation for Contract award. It is the intent of the TOWN to award a Professional Services Contract within ten (10) calendar days after the final award decision has been made.
- E. If any changes are made to the Request for Qualifications (RFQ), an addendum will be issued. Addenda will be mailed, faxed, or emailed to all Proposers on record as having picked up/downloaded the RFQ. Proposers shall be responsible for ensuring that they are in receipt of all addenda prior to proposal deadline. The TOWN will require acknowledgement of any addenda issued to be included on the proposal form.
- F. Questions concerning this RFQ must be submitted in writing to Joe Jordan, Assistant Director of Public Works, jjordan@amherstnh.gov, before 5:00 pm, August 18, 2023. Questions may be mailed, emailed or faxed. Written responses will be emailed to all Proposers on record as having picked up/downloaded the RFQ. Responses will also be posted on the Town of Amherst website.
- G. After the proposal opening, a Proposer may not change any provision of the proposal in a manner prejudicial to the interests of the TOWN or fair competition. Minor irregularities will be waived or the Proposer will be allowed to correct them. If a mistake and the intended proposal are clearly evident on the face of the proposal document, the mistake will be corrected to reflect the intended correct proposal, and the Proposer will be notified in writing.

- H. The TOWN may cancel this RFQ or reject, in whole or in part, any and all proposals if the TOWN determines that the cancellation or rejection serves the best interests of the TOWN.
- I. All proposals submitted in response to this RFQ must remain firm for sixty (60) days following the proposal opening.
- J. A proposal must be signed as follows: 1) if the Proposer is an individual, by her/him personally, 2) if the Proposer is a partnership, by the name of the partnership, followed by the signature of each general partner; and 3) if the Proposer is a corporation, by the authorized officer.

II. Rule for Award

The TOWN shall award contract(s) to the most advantageous Proposer(s) taking into consideration the price and technical proposals. Following review of all RFQ's by the Selection Committee, a recommendation will be made to the Town Administrator and approved by the Board of Selectmen. Upon approval by the Board of Selectmen, the Town Administrator will approve a contract award to the successful proposer.

III. Contract Term:

- A. The term of the contract will be from Date of Award through June 30, 2026. At the sole discretion of the TOWN, the contract may be extended for one (1) year.
- B. No minimum or maximum amount of work is guaranteed under any contract(s) resulting from this solicitation. The TOWN reserves the right to decide which of the selected Proposers will be chosen to perform any of the contracted tasks.

IV. Quality Requirement

Each Proposer submitting a proposal must provide the following documentation:

- A. The Proposer has successfully assisted municipalities in complying with all aspects of the EPA NPDES MS4 Permit and Multi Sector General Permit (MSGP).
- B. The Proposer has experience working with regulatory agencies such as NHDES and EPA.
- C. The Proposer has successful experience with assisting communities in presenting justification for the establishment of a Stormwater Utility.
- D. The Proposer has experience with design and permitting of Community Septic Systems.

V. Additional Contract Terms & Conditions

- A. The contract shall be governed by and construed in accordance with the laws of the State of New Hampshire.
- B. Purchases of goods and services by the TOWN are exempt from the payment of Federal excise taxes, and State sales tax and any such taxes must not be included in the price computations.
- C. The successful Proposer(s) will not be permitted to assign or underlet the contract, nor assign either legal or equitably, any monies hereunder, or its claim thereto, without the previous written consent of the TOWN.
- D. Verbal orders are not binding on the TOWN and work done without formal written approval or contract amendments are at the risk of the Proposer and may result in an unenforceable claim.
- E. All words, signatures and figures submitted on the proposal shall be in ink. Proposals which are conditional, obscure or which contain additions not called for, erasures, alterations or irregularities, or any prices which contain abnormally high or low amounts for any item, may be rejected as informal. More than one proposal from the same Proposer will not be considered.
- F. The selected Proposer will be required to sign a contract with the TOWN in which he/she accepts responsibility for the performance of services as stated in the submitted proposal and be prepared to commence work immediately upon execution of the signed contract.
- G. Ownership of Information: All information acquired by the Proposer from the TOWN or from others at the expense of the TOWN in the performance of the agreement shall be and remain the property of the TOWN. All records, data files, computer records, work sheets, and all other types of information prepared or acquired by the Proposer for delivery to the TOWN shall be and remain the property of the TOWN. The Proposer agrees that he/she will use this information only as required in the performance of this agreement and will not, before or after the completion of this agreement, otherwise use said information, or copy or reproduce the same in any form, except pursuant to the sole written instructions of the TOWN. The Proposer further agrees to return said information in whatever form it is maintained by the Proposer.
- H. Proposers must submit complete responses to all of the information requested. Proposers who do not respond to the entire content of this RFQ may be disqualified. All proposals become the property of the TOWN. The TOWN has the right to disclose information in the proposals once an award has been made.
- I. The selected firm(s) will assume sole responsibility for the scope of services specified in this RFQ. The TOWN will consider only the primary consulting Proposer as the sole point of contact with regard to contract matters, whether or not subcontractor(s) are used by the contractor for one or more elements of the scope of services. Proposers who intend to subcontract one or more elements of the scope of services shall identify those work elements to be subcontracted and the subcontracting firm(s). Subcontractor(s) shall not be substituted, nor any portions of the contract assigned to other parties after contract award, without prior written approval by the TOWN.

- J. The TOWN will not assume any responsibility for costs incurred by Proposers as part of the preparation and submission of the Technical and Price Proposals, nor for costs associated with the issuance of a contract.
- K. The selected firm(s) shall be solely responsible for all claims of whatever nature arising out of the rendering of professional services by the firm during the term of this project, and the firm shall indemnify and hold harmless the TOWN against the same to the extent permitted by law. The selected firm(s) will be required to provide statements of insurance acceptable to TOWN prior to execution of a contract, with the TOWN being listed as an additional insured party for general liability and motor vehicle coverage. Firms shall indicate their ability to provide proof of coverage for the following insurance requirements:
- General Liability coverage of \$1 million per occurrence and \$2 million in the aggregate,
 - Motor Vehicle Liability coverage of \$1 million combined single limit,
 - Professional Errors and Omissions coverage of \$1 million; and,
 - Workers Compensation coverage
- L. The performance and payment obligations of the TOWN will be subject to appropriation or availability of funds. If the TOWN should not, for any reason at any time appropriate or otherwise make available funds to support continuation of performance in any fiscal year succeeding the first year, the TOWN will cancel any contract pursuant to this RFQ without penalty to the TOWN upon thirty (30) days written notice to the successful Proposer.
- M. If at any time the successful Proposer(s) fails to fulfill or comply with any of the requirements of this proposal/contract, the TOWN, at its option, can terminate this contract upon thirty (30) days written notice to the Proposer.
- N. The selected Proposer(s) must indemnify the TOWN for any damages that are the result of its negligence or that of its employees.
- O. Reports and materials developed by the successful proposer under a contract that may result from this RFQ are considered public information and may not be copyrighted.
- P. All information presented in this RFQ, including information disclosed by the TOWN during the proposal process, is considered confidential. Information shall not be released to outside parties and the RFQ shall not be discussed with anyone at the TOWN, other than the known participants, without written consent of the TOWN. A Proposer shall not discuss his/her proposal with another proposer.
- Q. The TOWN is an Equal Opportunity Employer in its programs and activities. The Proposer(s) shall be selected by the TOWN without regard to race, color, sex, age, religion, political affiliation, or national origin.

VI. Comparative Evaluation Criteria

The following Comparative Evaluation Criteria will be applied to all eligible Technical Proposals submitted. Each criterion will be rated Highly Advantageous, Advantageous, or Not Advantageous. A team comprised of Town staff will evaluate the proposals.

| Comparative Criteria | Highly Advantageous | Advantageous | Not Advantageous |
|---|--|---|--|
| Organization, completeness, and clarity of proposal | Includes all submissions and demonstrates thoroughness of preparation | Includes some of the submissions | Includes none of the submissions |
| Description of related NPDES MS4 Permit projects, and other items in Section IV | Professional, well organized, clear, comprehensive, addresses all project objectives | Generally professional, organized, understandable, addresses all project objectives. | Generally unprofessional |
| Proposer's experience in consulting and assisting municipalities on NPDES MS4 Permit compliance | The Proposer has experience in consulting and assisting municipalities on NPDES MS4 Permit compliance for five (5) or more communities similar in density to the TOWN. | The Proposer has experience in consulting and assisting municipalities on NPDES MS4 Permit Compliance for three (3) to four (4) communities similar in density to the TOWN. | The Proposer has experience consulting and assisting municipalities on NPDES MS4 Permit compliance for less than (3) communities similar in density to the TOWN. |
| Proposer's experience with assisting in establishing a Stormwater utility for communities similar to the TOWN | The Proposer has experience in establishing a Stormwater utility for five (5) or more communities similar to the TOWN. | The Proposer has experience in establishing a Stormwater utility for three (3) to four (4) communities similar to the TOWN. | The Proposer has experience in establishing a Stormwater utility for less than (3) communities similar to the TOWN. |

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| Proposer's experience with permitting of Community Septic Systems. Special consideration will be given to Proposers with experience in negotiating with NHDES Subsurface Systems Bureau and understanding of Env – Wq 1000 and associated regulations and statutes | The Proposer has experience with permitting of Community Septic Systems for five (5) or more communities in New Hampshire. | The Proposer has experience with permitting of Community Septic Systems for three (3) to four (4) communities in New Hampshire. | The Proposer has experience with permitting of Community Septic Systems for less than (3) communities in New Hampshire. |
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VII. RFQ Schedule

| Event | Time / Date |
|-----------------------------------|-------------------------------------|
| Question Deadline | 5:00 pm on August 18, 2023 |
| Proposal Due Date | 2:00 pm on September 1, 2023 |
| Anticipated Contract Award | October 11, 2023 |

VIII. Interviews

Interviews may be required at the TOWN's discretion after review of the technical proposals. Proposers will be provided with advance notice of at least five (5) working days. Presentations should not exceed forty (40) minutes in length, plus twenty (20) minutes for a question-and-answer period.

IX. Proposal Submission Requirements

- A. Technical Proposal Package: All proposers shall submit a Technical Proposal in strict accordance with the submission requirements listed below. Any Proposers failing to provide all of the submission requirements will be considered "not responsive" and the proposal may be rejected without further consideration.
- B. The information submitted must include the following items:
 1. Cover Letter. A cover letter signed by an authorized officer of the Proposing Firm binding the Firm to all the commitments made in the Proposal. The cover letter should concisely summarize the distinctive attributes of the respondent Proposer to execute the scope of services, answering the question: "Why should TOWN select your Proposer?"
 2. The name of the individual(s) authorized to negotiate and sign contract on the

Firm's behalf.

3. A brief statement of the Firm's understanding of the project
4. The name, title, phone number, fax number, e-mail address, and street address of the person in the organization who will answer questions about the proposal.
5. Highlights of the Firm's qualifications and ability to perform all phases of the contract as described in this document.
6. A brief description of the roles of the Firm and the subcontractors, if any subcontractors are proposed.
7. Letter of Transmittal must be signed by an individual authorized to bind the Firm contractually.

C. Table of Contents. Include a table of contents listing all sections, figures and tables.

D. Executive Summary. This section should include a brief executive summary of the proposed consulting services for assisting the TOWN in the implementation of its NPDES MS4 Permitting.

E. Firm Overview. Provide the following information about the Consultant and any proposed subcontractor:

1. The Firm's name, e-mail address, business address, phone number and fax number
2. The year the Firm was established and any former names of the Firm.
3. The type of ownership, parent company, and organizational structure.
4. A description of the Firm's primary business areas and number of employees.
5. An indication of the Firm's licensing to do business in the State of New Hampshire.
6. The location of the office or offices that would provide the project services.
7. A brief statement of the Firm's background, demonstrating longevity and financial stability, including a copy of the most recently audited financial statement as an appendix to the proposal response.
8. A list of key individuals and staff assigned to this project describing their role and brief description of relevant experience. Include an organizational chart illustrating key personnel, their project assignments and management flow.
9. Resumes of key consultant staff members and references from at least three similar projects undertaken within the last five years. The reference list should include the name, address, telephone number, title of project, and description of the work performed. as an appendix to the proposal response.

F. Signed and completed Certifications - Appendix C.

G. Professional References: Provide at least three client references from prior NPDES MS4 Permit projects. Include contact name, organization and current telephone number – Appendix D.

H. Price Proposal Package: All proposers shall submit a Price Proposal in strict accordance with the submission requirements. Any Proposer failing to provide the following submission requirement will be considered "not responsive" and the proposal may be rejected without further consideration.

1. The information submitted must include the following items:
 - a. Price Proposal - Appendix B.
 - b. Acknowledgment of Addenda: Each Proposer shall acknowledge the receipt of any addenda on their Price Proposal.

Appendix A

Scope of Services

The TOWN is looking for a Consultant to assist the TOWN with administration and compliance with all aspects of its NPDES MS4 Permit and MSGP permit, specifically to review our past performance and recommend a plan to maintain compliance with the MS4 permit and to assist in budget development associated with MS4. Additionally, the Consultant will assist the TOWN with reviewing and developing plans with other environmental concerns including monitoring of Transfer Station runoff, renegotiating permit(s) related to the Baboosic Lake Community Septic System, and other environmental issue which may arise during the term of the Contract.

Task 1: Written Catchment Area Investigation Procedure

The Consultant should develop a systematic procedure to investigate each catchment associated with an outfall or interconnection within the MS4 system. The written catchment investigation procedure should identify maps, historic plans and records or other sources of data that could be used to identify system vulnerability factors, include a manhole inspection methodology, and establish procedures to isolate and confirm sources of illicit discharges.

Task 2: Review Existing List of Outfalls

The Consultant should review the TOWN's existing outfall locations to determine if list is accurate or needs to be revised. A review should also be made of stormwater piping to determine if there are other outfalls which have not been identified.

Task 3: Follow-Up Ranking of Outfalls and Interconnections

Based on the results from Task 2, the Consultant should update the initial prioritization of outfalls and interconnections. The Consultant should conduct dry weather outfall and interconnection screening and sampling for all High and Low priority outfalls, if not previous completed, in accordance with the initial ranking of outfalls. The Consultant should plan to update the ranking continuously as dry weather screening information becomes available. The Consultant should assist in wet weather sampling that may be required.

Task 4: Mapping

The Consultant should work with the TOWN to develop a more detailed map to facilitate identification of key infrastructure and factors influencing proper system operation and the potential for illicit sanitary sewer discharges. The map should be updated to include the following information:

- Open channel conveyances (swales, ditches, etc.)
- Municipally owned stormwater treatment structures, other than catch-basins (e.g., detention and retention basins, infiltration systems, bioretention areas, water quality swales, or any treatment systems)
- Waterbodies identified by name and indication of all use impairments as identified on the most recent EPA approved New Hampshire Integrated List of waters report pursuant to Clean Water Act section 303(d) and 305(b)

- Initial catchment delineations (these should be developed in GIS file format and provided to TOWN at the conclusion of Task 4)

The Consultant should transmit all electronic files to the TOWN to incorporate into their Geodatabase.

Task 5: Priority Catchment Investigation

The Consultant should work with the TOWN to implement the Catchment Area Investigation Procedure (Task 1) for Problem Outfalls identified during the initial ranking of outfalls and interconnections. The Consultant should review all relevant mapping and historic plans and records and identify and record the presence of any System Vulnerability Factors (SVFs). The Consultant should plan to work with the TOWN to investigate and inspect key junction manholes for the presence of illicit discharges.

Task 6: Annual IDDE Training

The Consultant should plan to provide annual training to town employees involved in the implementation of the IDDE program about the program, including how to recognize illicit discharges and SSOs. The Consultant should train employees on content and Permit requirements that are relevant for the upcoming Permit year.

Task 7: Stormwater Pollution Prevention Plan (SWPPPs) for Municipal Facilities

The Consultant should develop SWPPPs for each of the town owned and operated facilities that handle waste where pollutants could be exposed to stormwater, including maintenance garages, public works yards, transfer stations, and other such facilities. The SWPPPs should be developed in accordance with the requirements of the Permit. The Consultant should provide the TOWN with SWPPPs by the end of the current Permit year.

Task 8: Negotiating Community Septic System Permit

The Consultant should assist the TOWN in negotiating with NHDES to modify, or if justifiable, renegotiate the permit(s) associated with the Baboosic Lake Community Septic system to allow additional customers to connect. The flow from the system receives treatment from a SeptiTech Pretreatment system prior to discharge to a community leach field. The consultant should review existing permits and regulations and render an opinion as to whether capacity may/should be based on actual flow introduced to the SeptiTech system or based on septic system design flows of 150 gallons per bedroom per day.

Task 9: Assistance with Developing a Stormwater Utility

The Consultant should work with the TOWN to develop a presentation/report for TOWN leaders and residents justifying the need for a Stormwater Utility as a means for funding MS4 related requirements.

Appendix B
Price Proposal

A current fee schedule of billing rates for the tasks identified and individuals to be assigned to the work, including any reimbursable expenses. Rates should be in total dollars per hour and adjusted accordingly for each fiscal year.

| | FY 2024 | FY 2025 | FY 2026 |
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Appendix B-1
Price Proposal

This RFQ includes addenda numbered ____.

Name of bidding company _____

Address _____

Signature of Company Official _____

Printed Name of Company Official _____

Title of Company Official _____

Phone number _____

E-Mail _____

Date _____

Appendix C Certifications

NON-COLLUSION

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee club, or other organization, entity, or group or individuals.

Signature of Authorized Company Official

Print Name

Name of Company

Appendix D
Professional References

| NPDES MS4 Permit Projects | Contact | Phone Number |
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Name of Proposer